

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

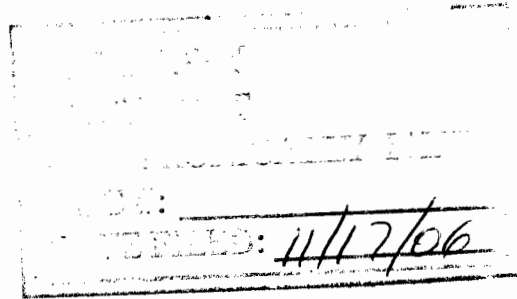
-----X
KEVIN DAMASSIA, et al.,

Plaintiffs,

-v-

DUANE READE, INC.,

Defendant.
-----X



04 Civ. 8819 (GEL)

ORDER

GERARD E. LYNCH, District Judge:

The parties have jointly asked the Court to resolve a dispute about the meaning of the Court's Order of October 4, 2006, with respect to the temporal parameters of the potential class of overnight Assistant Store Managers of Duane Reade who may opt-in to this action. The Order contemplated that notice be provided to "all current and former employees of defendant who have worked as assistant managers on the night shift for the past three years," that is, for the period of October 6, 2003, to October 5, 2006. Damassia v. Duane Reade, Inc., 04 Civ. 8819 (GEL), 2006 WL 2853971, at *8 (S.D.N.Y. Oct. 5, 2005), quoting P. Mem. in Support of Mot. for Court-Authorized Notice ("P Mem.") at 2 n.1; see also P. Mem. at 17 (asking the Court to authorize the issuance of notice to potential opt-in plaintiffs who worked for defendant during the preceding three year period). Accordingly, the Order shall not be interpreted to authorize notice to employees who were not employed during that time period.

SO ORDERED.

Dated: New York, New York
November 16, 2006


GERARD E. LYNCH
United States District Judge